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ACTION ARA-15

INFO OCT-01 ISO-00 CIAE-00 DODE-00 NSAE-00 NSCE-00
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FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC IMMEDIATE 7950

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E.O. 11652: GDS
TAGS: PEPR, OAS, PINT, SHUM, AR
SUBJECT: GOA'S IAHRC ANNOUNCEMENT: BACKGROUND AND FALLOUT
REF: A) BUENOS AIRES 7988; B) BUENOS AIRES 8171

SUMMARY. THE FOREIGN MINISTRY PUBLICLY ANNOUNCED ON OCTOBER 17 THAT THE GOA HAD RESPONDED FAVORABLY TO THE INTEREST EXPRESSED BY THE INTER-AMERICAN HUMAN RIGHTS COMMISSION TO SEND A DELEGATION TO ARGENTINA FOR A SITE VISIT. STORY RECEIVED PROMINENT PRESS PLAY. CLARIN'S STORY INDICATED THAT THE FOREIGN MINISTRY WAS REOPENING NEGOTIATIONS WITH THE IAHRC TO WORK OUT THE DETAILS FOR THE VISIT.

RECONFIRMING WHAT HE HAS SAID IN THE PAST, HOWEVER, A WELL-PLACED PRESIDENTIAL AIDE ASSURED US THAT MONDAY'S FOREIGN MINISTRY NOTE TO THE IAHRC PUTS INTO OPERATION AN AGREEMENT PREVIOUSLY WORKED OUT CONFIDENTIALLY BETWEEN THE GOA AND THE COMMISSION. THE COMMISSION WILL HAVE CONSIDERABLE LATITUDE, ALTHOUGH IT WILL NOT BE GIVEN ACCESS TO MILITARY BASES. THIS CONCESSION HAS NOT BEEN GIVEN WITHOUT SOME RESISTANCE FROM HARD-LINE MILITARY SECTORS AND THEIR ALLIES, AND THE PRESS PLAY SURROUNDING THE FOREIGN MINISTRY ANNOUNCEMENT SUGGESTS THE GOA MAY

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BE RPREPARING PUBLIC OPINION GRADUALLY FOR THE GOA TURN-AROUND. THE COMMISSION VISIT IS EXPECTED IN THE SECOND QUARTER OF 1979. GOA RETAINS AN INTEREST IN HAVING A VISIT BY ASSISTANT SECRETARY VAKY, BUT OUR SURCE

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Department of State, A/GIS/IPS/SRP

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RECOGNIZES THAT THE TIMING OF SUCH A VISIT MAY BE
DEPENDENT UPON THE PROPOSED CABINET CHANGE AND BEAGLE
CHANNEL DEVELOPMENTS. END SUMMARY.

1. THE BUENOS AIRES PRESS OCTOBER 17 GAVE WIDE COVERAGE
TO NEWS THAT THE MINISTRY OF FOREIGN AFFAIRS HAS AGREED
TO A VISIT TO ARGENTINA BY THE INTER-AMERICAN HUMAN RIGHTS
COMMISSION. GIVEN CLARIN'S CURIOUS PRESS PLAY OF THE
FOREIGN MINISTRY ANNOUNCEMENT CONCERNING THE INTER-AMERICAN
HUMAN RIGHTS COMMISSION SUGGESTING THAT THE SCOPE OF
FREEDOM TO BE ALLOWED THE IAHRM REMAINS YET TO BE WORKED
OUT, EMBOFF CONSULTED OUR USUAL CASA ROSADA SOURCE ON THIS
SUBJECT THE SAME DAY.

2. OUR SOURCE STATED THAT WHILE FOREIGN MINISTER MONTES
NOTE TO THE IAHRM DELIVERED OCTOBER 16 IN WASHINGTON
REPEATED THE SAME "JURIDICAL-LEGAL-CONDITIONS" LANGUAGE
WHICH THE FOREIGN MINISTRY HAS BEEN WONT TO USE IN THE
PAST--THUS LENDING THE IMPRESSION THAT THE GOA MAY NOT
HAVE CHANGED ITS PREVIOUS PUBLICLY EXPRESSED STAND ON
THE TERMS OF REFERENCE FOR AN IAHRM VISIT--IN FACT THE
TERMS WERE WORKED OUT DISCREETLY WITH THE IAHRM SOMETIME
AGO IN WASHINGTON. ACCORDING TO OUR SOURCE IT WAS ALSO
AGREED IN THESE CONFIDENTIAL TALKS THAT THE OFFICIAL
ARGENTINE NOTE OF REPLY WOULD NOT ADDRESS ITSELF TO THE
7-POINT IAHRM INTERROGATORY ITEM-BY-ITEM IN ORDER NOT TO
PRECIPITATE A RISKY PUBLIC POLEMIC IN ARGENTINA. RATHER,
THE NOTE SIMPLY STATES THAT THE IAHRM IS INVITED TO CARRY
OUT ITS OBSERVATIONS "IN LOCO" (AS PROVIDED IN THE IAHRM'S

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STATUTES). REITERATING THAT TERMS HAD BEEN WELL AGREED,
OUR SOURCE SAID THAT THE COMMISSION WILL HAVE ACCESS TO
PRISONS AND RELATIVES OF DISAPPEARED PERSONS AND MAY MEET
WITH ALL THE POLITICAL LEADERS IT WISHES. IT WILL NOT
REPEAT NOT HAVE ACCESS TO MILITARY BASES HOWEVER.
("VIDELA HIMSELF WOULD BE BOOTED OUT OF THE MILITARY CAMPS
IF HE WISHED TO ENTER FOR PURPOSES OF SNOOPING AROUND",
THE AIDE SAID ONLY HALF-JOKINGLY.)

3. THE FOREIGN MINISTRY NOTE REPORTEDLY INVITES THE
IAHRM TO VISIT ARGENTINA AT A TIME OF ITS CHOOSING, BUT
FOR ADMINISTRATIVE REASONS STATES A GOA PREFERENCE FOR
A VISIT IN THE SECOND QUARTER OF 1979, I.E., MARCH THROUGH
MAY OF THAT YEAR.

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4. NOTWITHSTANDING THE AIDE'S ASSURANCE THAT THE TERMS HAVE BEEN MUTUALLY AGREED UPON, HE SUGGESTED THAT USG

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USE EVERY OPPORTUNITY TO IMPRESS UPON COMMISSION CHAIRMAN AGUILAR THAT THE GOA'S BASIC ACCEPTANCE OF THE IAHC TERMS WAS NOT REACHED WITHOUT A DEGREE OF DISCOMFITURE AND RESISTANCE IN HARD LINE ARGENTINE MILITARY CIRCLES. THE PRESIDENTIAL OFFICE SOURCE EXPRESSED THE HOPE THAT THE COMMISSION WILL CONDUCT ITSELF WITH UTMOST DISCRETION DURING ITS STAY IN ARGENTINA. THE AIDE ELABORATED THAT DEPUTY FOREIGN MINISTER ALLARA WAS FURIOUS ABOUT THE TERMS OF REFERENCE AGREED UPON BY THE CASA ROSADA, AND HE ALLEGED THAT FOREIGN MINISTRY HUMAN RIGHTS COORDINATOR ARLIA GOES ABOUT "ACCUSING THE PRESIDENTIAL PALACE OF TREASON".

5. THE AIDE INQUIRED WHAT WE PLAN TO DO NEXT, NOW THAT THE GOA COMMITMENT ON IAHC INVITATION WAS FULFILLED. HE ASKED WHETHER WE WERE MOVING AHEAD ON PLANS TO HAVE ASSISTANT SECRETARY VAKY VISIT ARGENTINA. EMBOFF REMINDED THE AIDE THAT HE HIMSELF HAD EARLIER SUGGESTED (REFTEL A) THAT VAKY SHOULD NOT VISIT ARGENTINA UNTIL AFTER THE COMING CABINET CRISIS WAS RESOLVED. EMBOFF THEN INQUIRED ABOUT THE STATUS OF THE PROPOSED CHANGES. THE AIDE STATED THAT THE CHANGES IMPLY A REDISTRIBUTION OF FORCES IN THE CABINET ON THE PART OF THE ARMED FORCES AND THAT

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THE NAVY WAS RESISTING PRESIDENT VIDELA'S PLAN TO REMOVE
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THE FOREIGN MINISTRY, THE SOCIAL WELFARE MINISTRY AND
THE INFORMATION SECRETARIAT OF THE PRESIDENCY FROM
THE NAVY'S JURISDICTION.

6. (ACCORDING TO THE AIDE, VIDELA'S PLANS CALL FOR
CIVILIANS TO TAKE OVER THE ECONOMY--I.E.,
MARTINEZ DE HOZ WOULD STAY--, SOCIAL WELFARE, JUSTICE
AND EDUCATION MINISTRIES. THE ARMY WOULD RETAIN LABOR
AND INTERIOR. THE NAVY WOULD GET DEFENSE AND PLANNING
AND THE AIR FORCE THE FOREIGN MINISTRY. THE AIDE ALSO
STATED THAT, WHILE CONSIDERABLE PROGRESS HAS BEEN MADE
IN "COMPATIBILIZING" THE SEPARATE POLITICAL PLANS OF THE
THREE SERVICES, THE ARMY HAD AN UPHILL STRUGGLE AHEAD
TO UNDO THE RATHER DETAILED POLITICAL PLAN AND TIMETABLE
PROPOSED BY THE AIR FORCE WHICH IS LARGELY BASED ON THE
BRAZILIAN MODEL AND WITH WHICH PRESIDENT VIDELA AND THE
ARMY REPORTEDLY ARE IN DISAGREEMENT.)

7. THE AIDE ALSO SUGGESTED THAT IN ADDTION TO THE
CABINET CHANGE FACTOR HE SUSPECTED THE TIMING OF MR. VAKY'S
PROPOSED VISIT MIGHT BECOME COMPLICATED IF ARGENTIAN AND
CHILE HAVE NOT REACHED AN AGREEMENT ON THE BEAGLE
CHANNEL PROBLEM BY NOVEMBER. (THE AIDE GAVE US TO BELIEVE THAT
BOTH THE ARGENTINES AND CHILEANS ARE HANGING-TOUGH ON
THEIR RESPECTIVE POSITIONS, THE ARENTINES INSISTING ON
FIXING THE BOUNDARY TO SOME SPECK OF LAND AND THE CHILEANS
STICKING TO A MARITIME FRONTIER CONCEPT. THE AIDE
ASSERTED THAT ARGENTINA'S INTERNATIONAL LAW EXPERTS
MAINTAIN THAT A BOUNDARY BASED ON LAND IS LESS VULNERABLE
TO THE EXPLOITATIVE ECONOMIC INCURSIONS OF THIRD
COUNTRIES, ALTHOUGH HE ADMITTED THAT ARGENTINA'S
ANTARCTIC CLAIMS MAY HAVE SOMETHING TO DO WITH ITS
INSISTNECE ON LAND-BASED BOUNDARY LINE. WE TOOK HIS

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COMMENTS AS MEANING NOT THAT A MILITARY CONFLICT MAY BE
BREWING IN THE IMMEDIATE FUTURE BUT RATHER THAT DIPLOMATIC
TENSIONS MIGHT BE EXPECTED TO INCREASE AS THE STATUTORY
DATE FOR THE END OF THE BILATERAL TALKS APPROACHES. WE

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WILL HEAR MORE ABOUT THE VAKY VISIT FROM OUR ARGENTINE COLLEAGUES, AND HAVE PROMISED TO STAY IN TOUCH ON THIS SUBJECT.

8. COMMENT: EMBASSY WILL GIVE FURTHER ANALYSIS TO NEWS STORIES AS THEY APPEAR REGARDING THE IAHRC VISIT. WHEN WE REFERRED TO CLARIN'S "CURIOUS" PRESENTATION IT WAS BECAUSE WE WERE STRUCK BY ITS AMBIGUITY AND MUDDLEMENT. THIS PROBABLY RESULTED FROM THE GOVERNMENT'S OWN CLEAVAGES. THE INVESTIGATIVE LATITUDE THE COMMISSION'S CHARTER AFFORDS IT WAS DESCRIBED--WITHOUT PRECISELY STATING THAT THE ARGENTINE DOOR WOULD BE OPENED SO WIDE. WHAT MATTERS HOWEVER IS THAT THE SPLASH OF COLD WATER HAS BEEN ADMINISTERED, AND THE FACT OF THE COMMISSION'S VISIT IS BEFORE THE PUBLIC.
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